

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

TERESA SABBIE, INDIVIDUALLY §
AS PERSONAL REPRESENTATIVE OF §
THE ESTATE OF MICHAEL SABBIE, §
AND AS PARENT AND NATURAL §
GUARDIAN OF HER MINOR CHILDREN, §
T.S., T.S. AND M.S.; SHANYKE §
NORTON, AS PARENT AND NATURAL §
GUARDIAN OF HER MINOR CHILD, §
M.S.; KIMBERLY WILLIAMS; MARCUS §
SABBIE; AND CHARLISA CRUMP §

V. §

CASE NO. 5:17-cv-113-RWS-CMC

§
SOUTHWESTERN CORRECTIONAL, §
LLC d/b/a LASALLE CORRECTIONS, §
LLC and LASALLE SOUTHWEST §
CORRECTIONS; LASALLE §
MANAGEMENT COMPANY, LLC; §
BOWIE COUNTY, TEXAS; THE CITY OF §
TEXARKANA, ARKANSAS; TIFFANY §
VENABLE, LVN, INDIVIDUALLY; M. §
FLINT, LVN, INDIVIDUALLY; §
GREGORY MONTOYA, M.D., §
INDIVIDUALLY; CLINT BROWN, §
INDIVIDUALLY; NATHANIEL §
JOHNSON, INDIVIDUALLY; BRIAN §
JONES, INDIVIDUALLY; ROBERT §
DERRICK, INDIVIDUALLY; DANIEL §
HOPKINS, INDIVIDUALLY; STUART §
BOOZER, INDIVIDUALLY; ANDREW §
LOMAX, INDIVIDUALLY; SHAWN §
PALMER, INDIVIDUALLY; SIMONE §
NASH, INDIVIDUALLY §

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**


The above-entitled and numbered civil action was referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report and Recommendation

(Docket No. 39), which contains Judge Craven's proposed findings of fact and conclusions of law, has been presented to the undersigned for consideration. In her Report and Recommendation, the Magistrate Judge recommends denying Defendants' Motion to Dismiss for Failure to State a Claim. No objections to the Report and Recommendation were filed within the prescribed time period. *See* FED. R. CIV. P. 72(b)(2).

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Plaintiffs have sufficiently pleaded facts to allege that each Defendant owed a duty to Michael Sabbie, and that those duties were breached. Accepting all well-pleaded facts as true and viewing them in the light most favorable to Plaintiffs, the Court agrees with the Magistrate Judge that Plaintiffs have stated a plausible claim against Defendants.

Finding no plain error in the findings and conclusions of the Magistrate Judge, the Court hereby **ADOPTS** the Report and Recommendation in its entirety. Accordingly, LaSalle Defendants' Motion to Dismiss for Failure to State a Claim (Docket No. 13) is **DENIED**.

So ORDERED and SIGNED this 30th day of November, 2017.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE